

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

**PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4**

Amend Title 8, Construction Safety Orders to add a new Section 1530.1 to read:

§1530.1. Control of Employee Exposures from Dust-Generating Operations Conducted on Concrete or Masonry Materials.

(a) Scope and Application. This section applies to the use of powered tools or equipment to cut, grind, core, or drill, concrete or masonry materials.

NOTE: This section does not preclude the application of other sections of Title 8 including, but not limited to, Sections 1509, 1530, 3203, 5141, 5143, 5144, 5155, and 5194.

EXCEPTION: This section does not apply to:

(1) Stucco, plastering material, or other similar products.

(2) Wall cladding, siding, or other similar products.

(3) Downward drilling.

(4) Jack-hammering or chipping when that work is incidental to the scope of work or planned operations of a plumbing or landscaping activity.

(5) Work with powder-actuated tools.

(6) Work incidental to the installation of concrete and masonry materials such as the drilling of holes for plumbing fixtures.

(7) Tile backer board when cut with powered shears or a dust reduction blade having a dust containment device.

(b) Definitions.

(1) Concrete or masonry material – A hard stone-like building material made of clay or made by mixing cement or a combination of cement, sand, gravel, broken stone, or other aggregate with water. Examples include brick, clay brick, concrete block, mortar, natural or manufactured stone, floor, wall, or counter top tile, and terra cotta. Unless otherwise indicated by evidence presented by the employer that the mixture does not include cement, sand, gravel, stone, clay, or aggregate material containing silica, material that is apparently stone-like in appearance and texture shall be presumed to be concrete or masonry material.

(2) Dust containment device – A device attached to a power tool such as a pouch, bag, plastic container, or similar attachment which is intended to capture dust generated by the power tool. This device is not intended to be a dust reduction system as defined under this section.

(3) Dust reduction system – Technology that utilizes the application of water or local exhaust ventilation to reduce airborne dust generated by the use of powered tools or equipment. Local exhaust ventilation may include vacuum systems, dust collection systems, and dust exhaust systems.

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(4) Powered tools or equipment – Tools or equipment for which the motive force that disrupts concrete or masonry materials is provided by a source other than human energy. Powered tools or equipment include those powered by electrical, combustion, hydraulic, chemical, or pneumatic energy.

(c) Control of employee exposures to airborne particulate.

During operations in which powered tools or equipment are used to cut, grind, core, or drill, concrete or masonry materials, a dust reduction system shall be applied to effectively reduce airborne particulate.

EXCEPTION No 1: A dust-reduction system is not required if the operation, without considering any protection provided by personal protective equipment, does not result in employee exposure exceeding the Permissible Exposure Limits for applicable particulates listed in Section 5155 including, but not limited to, crystalline silica, as demonstrated reliably by air sampling data applicable to the specific operation being performed.

EXCEPTION No. 2: A dust reduction system is not required for rooftop operations with roofing tile, roofing pavers, or similar materials.

EXCEPTION No. 3: During the first 24 hours of an operation undertaken in response to an emergency, a dust reduction system is not required where it can reasonably be demonstrated or foreseen that use of a dust reduction system will materially impair the timely progress of the operation. For the purposes of this exception, "emergency" means an unexpected occurrence requiring immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. "Emergency" includes, but is not limited to, a fire, flood, earthquake or other soil or geologic movement, structural collapse, damage to a subsurface installation, terrorist act, or sabotage.

(d) Safety and effectiveness of dust reduction systems.

(1) Procedures shall be implemented to ensure that dust reduction systems maintain their effectiveness for dust reduction throughout the work shift.

(2) Dust reduction systems shall be installed, operated, and maintained in accordance with manufacturer recommendations to the extent they exist.

(3) Local exhaust ventilation systems shall be designed, tested, maintained, used, and the waste materials they collect disposed of, in compliance with applicable requirements of Sections 1530 and 5143 of these orders.

(4) Where electrical tools are used with water as a dust reduction system, this shall be done in accordance with applicable requirements of the Electrical Safety Orders.

(e) Training.

(1) Employee training. An employer whose operations include using powered tools or equipment to cut, grind, core, or drill concrete or masonry materials shall provide training on the following topics to all employees prior to their assignment to jobs or work areas where the employer will be conducting these operations:

A) The potential health hazards of overexposure to airborne dust generated from concrete and masonry materials, including silicosis, lung cancer, chronic obstructive lung disease (COPD) and decreased lung function.

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B) Methods used by the employer to control employee exposures to airborne dust from concrete and masonry materials, including wet cutting, local exhaust ventilation systems, and isolation of the process from the operator or other employees by means of distance, enclosure, or other method, as applicable.

C) Proper use and maintenance of dust reduction systems, including the safe handling and disposal of waste materials collected in connection with their use.

D) The importance of good personal hygiene and housekeeping practices when working in proximity to dust from concrete and masonry materials including:

1. Not smoking tobacco products; appropriate methods of cleaning up before eating, and appropriate methods of cleaning clothes.

2. Avoiding, to the extent practical, activities that would contribute significantly to an employee's exposure to airborne dusts.

(2) Supervisor training. Prior to engaging in supervision of employees who will be cutting, grinding, drilling, or coring concrete or masonry materials, supervisory employees shall be trained on the following topics:

A) The information required to be provided by subsection (e)(1) above.

B) Identification of tasks the employees will perform, which may result in employee exposure to concrete or masonry dust.

C) Procedures for implementation of the measures used by the employer to reduce the exposure to concrete or masonry dust.

(3) Periodic training. The employer shall conduct the training required by this section at least annually.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.